

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Gopanpet (V) – Atmakur (M) – O.P.No.10/94, 11/94, 12/94, 13/94, 14/94 and 49/96 – Sanction of decretal charges of Rs.1,55,369/- - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 636

DATE:22.08.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/634/2008,
Dt:27.06.08 alongwith the letter of Spl.Collector, SSP, Kurnool.

ORDER:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.10/94 & batch of (6 O.Ps) pertaining to Gopanpet (V) Atmakur (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal had acquired the lands in Sy.No.116/2 etc for an extent of Ac.10.15 gts of Gopanpet (V) by fixing the market value @Rs.17,650/- per acre through Award No.01/90, dt:10.01.96 for forming as a balancing Reservoir. The awardees have filed petitions u/s 18 (1) of the L.A. Act for adjudication. The Sr.Civil Judge, Gadwal had delivered judgments enhancing the market value from Rs.17,650/- to Rs.35,000/- (Category-I), Rs.8,650/- to Rs.35,000/- (Category-II) and Rs.5,000/- to Rs.25,000/-(Category-III) per acre in O.P.No.10/94 & batch of (6 O.Ps). The SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad against the orders of the Lower Court. The High Court of A.P has granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, an amount of Rs.6,35,072/- was sanctioned and the same has been deposited in the Senior Civil Judge Court, Gadwal. Finally, the Hon'ble H.C of A.P, Hyd has dismissed the appeals filed by the LAO/SDC, LA, PJP, Gadwal by confirming the Judgments of the Lower Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,55,369/- (Rupees One lakh fifty five thousand three hundred and sixty nine only)** in respect of O.P.No. 10/94, 11/94, 12/94, 13/94, 14/94 and 49/96 (total 6 O.Ps) pertaining to Gopanpet (V) Atmakur (M) of Mahabubnagar District subject

to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the (PTO)

-2-

Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (26) - Dams and Appurtenant works - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3443/F2(2)/2008-1, dated 02.08.2008.

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, SSP, Kurnool
The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.19129/LA-III(A2)/2008.
SF/SCs